

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

<p>UNITED STATES of AMERICA</p> <p style="text-align: center;">v.</p> <p>JOSE ADAN MARTINEZ CASTRO,</p> <p style="text-align: center;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Criminal No. 15-10338-56-FDS</p>
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ORDER TO RESPOND

SAYLOR, C.J.

Petitioner Jose Adan Martinez Castro, proceeding *pro se*, has filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. The petition alleges that the Court improperly sentenced Castro and that he received ineffective assistance of counsel by his former counsel, attorney James M. Caramanica, including failure to prosecute an appeal.

The government stated that it needed to review information that would otherwise be subject to attorney-client privilege in order to respond to the § 2255 petition. At the government's request and following petitioner's failure to object or show cause, this Court ordered petitioner's former counsel, attorney James M. Caramanica, to produce to the government all materials responsive to the § 2255 petition and to file an affidavit with the Court responding to the § 2255 petition. (Order Concerning Possible Waiver of Attorney-Client Privilege, September 10, 2019, Dkt. No. 3106). Attorney Caramanica has produced said documents to the government and filed an affidavit with the Court responding to the § 2255 petition. (Caramanica Aff., Dkt. No. 3110).

Accordingly, it is ORDERED that respondent, the United States, shall, within 28 days of this Order, file an answer (or other responsive pleading) to the Motion to Vacate, Set Aside, or Correct Sentence. The answer (or other responsive pleading) must also include a statement notifying this Court of the existence of any victim or victims as defined by 18 U.S.C. § 3771.

So Ordered.

Dated: August 12, 2021

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
Chief Judge, United States District Court